

SIMON KIM  
A/k/a Simon Dae Kim  
A/k/a Sak Dae Kim  
34 Benson Drive  
Wayne, NJ 07470

U.S. DISTRICT COURT

2009 DEC -3 A 10:18

Defendant Pro Se

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

-----X  
LOUIS VUITTON MALLETTIER, S.A. and  
CHRISTIAN DIOR COUTURE, S.A.,

Civil Action No.:2:09-cv-05392-  
WJM-CCC

Plaintiffs,

**VERIFIED ANSWER**

-against-

POP EYEWEAR, INC. and SIMON KIM,

Defendants.  
-----X

The Defendants, POP EYEWEAR, INC. and SIMON KIM, pro se, answer the Verified Complaint upon information and belief as follows:

**PARTIES**

**FIRST:** Deny paragraphs designated as "1" and "2" of the complaint herein.

**SECOND:** Admit each and every allegation set forth in paragraph "3" and "4" of the complaint herein.

**JURISDICTION AND VENUE**

**THIRD:** Upon information and belief, deny each and every allegation contained in paragraphs designated as "5", "6", "7", "8", "12", "13", "14", "15", "16", "17", "18", "19", "20", "21", "22", "23", "24", "25" and "26" of the complaint herein.

**DEFENDANT'S COUNTERFEITING AND INFRINGING ACTIVITIES**

**FOURTH:** Deny paragraphs "27", "28", "29", 30" and "31" of the complaint herein.

**FIRST CLAIM FOR RELIEF**

**Trademark Counterfeiting In Violation of 15 U.S. C. §1114-1117**

**FIFTH:** Deny paragraphs "32", "33", "34", "35", "36", "37", "38", "39" and "41" of the complaint herein.

**SECOND CLAIM FOR RELIEF**

**Trademark Infringement In Violation Of 15 U.S.C. §1114(1)**

**SIXTH:** Deny paragraphs "42", "43", "44", "45", "46" and "47" of the complaint herein.

**THIRD CLAIM FOR RELIEF**

**False Designation of Origin And Unfair Competition In Violation of 15 U.S.C. §1125(a).**

**SEVENTH:** Deny paragraphs "48", "49", "50" and "51" of the complaint herein.

**FOURTH CLAIM FOR RELIEF**

**Common-Law Unfair Competition**

**EIGHTH:** Deny paragraphs "52", "53", "54" and "55" of the complaint herein.

**FIFTH CLAIM FOR RELIEF**

**Trafficking In Counterfeit Marks Under N.J.S.A. §56:3-13.16**

**NINTH:** Deny paragraphs "56", "57", "58" and "59" of the complaint herein.

**SIXTH CLAIM FOR RELIEF**

**Unfair Competition Under N.J.S.A §56:4-1**

**TENTH:** Deny paragraphs "60", "61", "62", "63", "64" and "65" of the complaint herein.

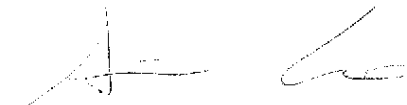
**PLAINTIFFS' PRAYER FOR RELIEF**

Defendants deny and oppose every allegation, prayer and requests as set forth in the Prayer For Relief (paragraphs 1 through 7) and request the Court to dismiss the complaint.

**WHEREFORE**, Defendants pray for a Judgment as follows: Dismiss the complaint of the plaintiffs herein together with the costs and disbursement of this action.

Dated: New York, New York  
November 30, 2009

Yours, etc.,  
SIMON KIM, Pro Se

A handwritten signature in black ink, appearing to read 'Simon Kim', is written over a horizontal line.

BY: SIMON KIM  
Defendant Pro Se  
A/k/a Simon Dae Kim  
A/k/a Sak Dac Kim  
34 Benson Drive  
Wayne, NJ 07470

TO:

LERNER, DAVID, LITTENBERG  
KRUMHOLTZ & MENTLIK, LLP  
600 South Avenue West  
Westfield, NJ 07090-1497  
908 654 5000

VERIFICATION

U.S. DISTRICT COURT

2009 DEC -3 A 10:19

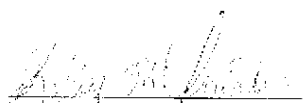
STATE OF NEW YORK                    )  
  ) ss.:  
COUNTY OF NEW YORK                )

**SIMON KIM**, being duly sworn, deposes and says:

I am the Defendant in the within action; I have read the foregoing Verified Answer and know the contents thereof; the same is true to my knowledge, except as to the matters therein stated to be alleged upon information and belief, and as to those matters I believe it

  
\_\_\_\_\_  
**SIMON KIM, Defendant Pro Se**

Sworn to before me this  
30th day of November , 2009

  
\_\_\_\_\_  
Notary Public

KELLY M. ALMONTE  
NOTARY PUBLIC, STATE OF NEW YORK  
NO. 01410154728  
QUALIFIED IN BROOKLYN COUNTY  
COMMISSION EXPIRES 11/30/11

### CERTIFICATION

The undersigned hereby certifies, pursuant to Local Civil Rule 11.2, that with respect to the matter in controversy herein, defendants pro se are not aware of any other action pending in any court, or of any pending arbitration or administrative proceeding, to which this matter is subject.

By: \_\_\_\_\_

**SIMON KIM**

**Defendant Pro Se**

Sworn to before me this

30<sup>th</sup> day of November, 2009

\_\_\_\_\_  
Notary Public

KELLY M. ALMONTE  
NOTARY PUBLIC, STATE OF NEW YORK  
ID: 2154726  
QUALIFIED IN MONK COUNTY  
COMMISSION EXPIRES 11/30/11

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK, COUNTY OF NEW YORK ss.:

Irina Shterenberg being duly sworn, deposes and says:

I am over 18 years of age, I am not a party to the action, and I reside in Kings County in the State of New York.

I served a true copy of the annexed

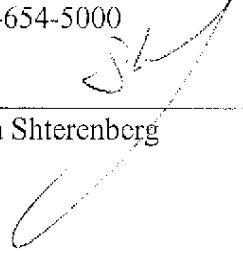
**VERIFIED ANSWER**

on November 30, 2009

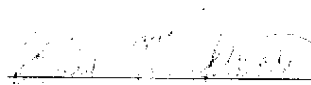
by regular mail request the same in a sealed envelope, with postage prepaid thereon, in a post office or official depository of the U.S. Postal Service within the State of New York, addressed to the last known address of the addressee as indicated below:

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY  
Martin Luther King Blvd  
& U.S. Courthouse  
50 Walnut Street, Room 4015  
Newark, NJ 07101

LERNER, DAVID, LITTENBERG  
KRUMHOLTZ & MENTLI, LLP  
600 South Avenue West  
Westfield, NJ 07090-1497  
908-654-5000

  
\_\_\_\_\_  
Irina Shterenberg

Sworn to before me on 30<sup>th</sup> day of November, 2009

  
\_\_\_\_\_  
Notary Public

KELLY M. ALMONTE  
NOTARY PUBLIC, STATE OF NEW YORK  
NO. 0168154726  
QUALIFIED IN STONEX COUNTY  
COMMISSION EXPIRES 11-15-11

2009 DEC -3 A 10:19

U.S. DISTRICT COURT

Civil Case No.: 2:09-cv-05392-WJM-CCC

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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Defendants.

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**VERIFIED ANSWER**

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SIMON KIM  
Defendant Pro Se  
34 Benson Drive  
Wayne, NJ 07470

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Simon Kim  
34 Benson Drive  
Wayne NJ 07074-70

RECEIVED

DEC 1 - 2009

DEFENDANT REQUESTED

7008 2810 0001 7856 2137



CERTIFIED MAIL™

071028351

*United States District Court  
District of New Jersey  
Southern District  
50 William Street, Newark  
Newark, NJ 07102  
Phone: 973-261-1000  
Fax: 973-261-1001  
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